

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

BLUE HILLS OFFICE PARK LLC,

Plaintiff, Defendant-in-Counterclaim.

v.

J.P. MORGAN CHASE BANK, as Trustee for the
Registered Holders of Credit Suisse First Boston
Mortgage Securities Corp., Commercial Mortgage
Pass-Through Certificates, Series 1999-C1,

and

CSFB 1999-C1 ROYALL STREET, LLC,

Defendants, Plaintiffs-in-Counterclaim,

v.

WILLIAM LANGELIER and GERALD
FINEBERG,

Defendants-in-Counterclaim.

Civil Action No. 05-CV-10506 (WGY)

**AMENDMENT TO EMERGENCY MOTION OF DEFENDANTS AND
COUNTERCLAIMANTS TO COMPEL DEPOSITION OF GERALD FINEBERG**

Defendants and Counterclaimants CSFB 1999-C1 Royall Street, LLC and J.P. Morgan Chase Bank, as Trustee for the Registered Holders of Credit Suisse First Boston Mortgage Securities Corp., Commercial Mortgage Pass-Through Certificates, Series 1999-C1 (collectively, the “Lenders”) on Thursday, March 23, 2006, filed an emergency motion asking the Court to compel the deposition of Defendant-in-Counterclaim Gerald Fineberg on Tuesday, March 28, 2006. Inasmuch as the motion will not be considered earlier than Tuesday, March 28, 2006, the Lenders request an order that Mr. Fineberg appear for his deposition on Wednesday, March 29, 2006, in advance of the Friday, March 31, 2006 deadline for expert disclosure.

Alternatively, the Lenders request that the Court adjust the expert disclosure and deposition schedule to provide for initial expert disclosures on March 31, 2006 (the existing

date), expert rebuttal disclosures ten days later on April 10, 2006 (an added step), and completion of expert depositions by April 28, 2006 (one week beyond the current expert deposition completion date of April 21, 2006). This would allow the Lenders to depose Mr. Fineberg on April 5, 2006 (a date agreeable to the counterclaim defendants), address testimony he gives relevant to expert issues in expert rebuttal disclosures on April 10, 2006, and still have almost three weeks for expert depositions. The adjustment would have no effect on the existing dispositive motion and trial dates.

Respectfully submitted,
CSFB 1999-C1 ROYALL STREET, LLC,
and J.P. MORGAN CHASE BANK, as
Trustee for the Registered Holders of Credit
Suisse First Boston Mortgage Securities
Corp., Commercial Mortgage Pass-Through
Certificates, Series 1999-C1,

By their attorneys,

/s/ Bruce E. Falby

E. Randolph Tucker, BBO #503845

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Bruce S. Barnett, BBO #647666

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Dated March 27, 2006

LOCAL RULE 7.1(A)(2) CERTIFICATION

The undersigned counsel for CSFB and the Trustee certifies that he has conferred with Peter McGlynn, counsel for defendants-in-counterclaim Blue Hills Office Park LLC, William Langelier, and Gerald Fineberg, in a good faith effort to resolve the issue presented by this motion.

/s/ Bruce E. Falby

Bruce E. Falby